IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.707 OF 2005
IN
FIRST APPEAL ST.NO.37176 OF 1999

Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

CORAM: A.S.OKA, J.
DATED: JULY 19, 2006.

P.C.:

1. Heard Advocate for the Applicant and the Advocate for the Appellant in the First Appeal. The Advocate for the Appellant states that the notice of this Application is duly served to the Respondent in the First Appeal. The learned Advocate for the Appellant has no objection for grant of prayer clause (b). Appeal has been dismissed for non prosecution due to failure of the original Appellant to remove office objections. The office objections were not removed by the Appellant obviously because the Appellant has no subsisting interest in the matter. Hence, a case for restoration is made out.

2. Civil Application is disposed of by passing the following order :

i) Rule is made absolute in term of prayer clauses (a) to (c) subject to the condition that all office objections in the First Appeal will be removed within a period of 8 weeks from today. If office objections are not removed within stipulated period, Application will stand dismissed for want of prosecution without further reference to the Court and order of dismissal of the Appeal will stand.

Judge.